

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gustafson et al. Attorney Docket No: UNIV0319
Serial No: 10/788,548 Group Art Unit: 4151
Filed: February 26, 2004 Examiner: Chan, Cedric A
Confirmation No: 7056
Title: METHOD AND APPARATUS FOR ASSAYING WOOD PULP FIBERS

FOR ELECTRONIC FILING

ELECTION TRANSMITTAL LETTER

Bellevue, Washington 98004

December 6, 2007

TO THE COMMISSIONER FOR PATENTS:

A. Election Transmittal

Transmitted herewith is an election in the above-identified patent application.

- ☒ 1. No additional claim fee is required, as shown below.
☐ 2. The claim fee has been calculated, as shown below.
☐ 3. Fees, as calculated below, in the amount of \$_____, will be charged to a credit card during electronic submission.

B. Request for Constructive Petition for Extension of Time

It is requested that any concurrent or future reply submitted in the present application requiring a petition for an extension of time under 37 CFR 1.136(a)(3) for timely submission be treated as incorporating a petition for extension of time for the appropriate length of time. It is also requested that any additional required fees under § 1.17, including all required extension of time fees, be charged to Deposit Account No. 01-1940, thereby constructively petitioning for any necessary extension of time to maintain the present application in a pending state.

<u>Computation of Fee For Claims as Amended</u>					
	<u>Claims Remaining after Amendment</u>	<u>Highest Number Previously Paid For</u>	<u>Present Extra</u>	<u>Rate</u>	<u>Additional Fee</u>
Total Claims	25	25	0	x \$25	\$0
Independent Claims	3	4	0	x \$105	\$0
ADDITIONAL CLAIM FEE					\$0
TOTAL ADDITIONAL FEE FOR THIS RESPONSE					\$ <u>0</u>

C. Additional Fee Charges or Credit for Overpayment

Please charge any additional fees or credit any overpayment to Deposit Account No. 01-1940.

Respectfully submitted,

/mike king/
Michael C. King
Registration No. 44,832

CUSTOMER NUMBER 25268

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gustafson et al. Attorney Docket No: UNIV0319

Serial No: 10/788,548 Group Art Unit: 1709

Filed: February 26, 2004 Examiner: CHAN, CEDRIC A

Confirmation No: 7056

Title: METHOD AND APPARATUS FOR ASSAYING WOOD PULP FIBERS

ELECTION IN RESPONSE TO RESTRICTION REQUIREMENT

Bellevue, Washington 98004

December 6, 2007

TO THE DIRECTOR OF THE PATENT AND TRADEMARK OFFICE:

The following is in response to a Restriction Requirement mailed November 7, 2007, in which the Examiner restricted the above-identified patent application. The Examiner indicates that there are two groups of patentably distinct inventions defined by the claims in this application, as follows:

Group I: Claims 19-20, 23-38, and 44-45, drawn to an apparatus for analyzing wood pulp fiber, classified in class 422, subclass 82.08; and

Group II: Claims 39-43, drawn to a method for analyzing wood pulp fibers, classified in class 436, subclass 164.

The Examiner asserts that the apparatus of Group I can be used to analyze fluorescent slurries other than wood pulp fibers, the apparatus of Group I can be used to implement methods of analyzing fluorescent slurries other than those encompassed in Group II, thus the inventions are distinct.

The Examiner further asserts that the claims of Group I are directed to two different species. Claim 37 encompasses an analyzer configured to calculate kink and curl indexes (i.e., Species I), and Claim 38 encompasses an analyzer configured to identify endpoints (i.e., Species II). The Examiner has recognized that Claim 36 is generic to both Species.

1 Election of Group

2 In response to this Restriction, applicants hereby affirmatively elect the claims of Group I
3 (i.e., Claims 19-20, 23-38, and 44-45), ***without traverse***, subject to applicants' right to file one or
4 more divisional applications directed to the non-elected inventions.

5 Election of Species

6 In response to this Restriction, applicants hereby affirmatively elect Species I (i.e., an
7 analyzer configured to calculate kink and curl indexes, as recited in Claim 37), ***without traverse***.
8 This election is also subject to applicants' right to file one or more divisional applications directed to
9 the non-elected species, should no generic claim be allowed.

10 Listing of Claims that Read on the Specific Embodiment

11 The claims that read on Species I are Claims 19-20, 23-37, and 44.

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13 Respectfully submitted,

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16 /mike king/
17 Michael C. King
18 Registration No. 44,832
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